REMARKS/ARGUMENTS

In light of the above amendments and remarks to follow, reconsideration and allowance of this application are respectfully requested.

Claims 1-2, 4, 6-7, 10-11, 21, 26-30, 43, 45-52 and 54 have been amended. Claims 5 and 31 have been canceled. Claims 1-4, 6-30 and 32-55 are pending in this application.

Claim 29 has been amended to overcome the Examiner's objection.

Claims 1, 10 and 21 have been amended to overcome the rejections under 35 U.S.C. § 112, second paragraph.

Claims 1-16, 21-23, 25-38, 43-47 and 51-52 were rejected under 35 U.S.C. § 103(a) as being unpatentable over EP 0459931 ("*Bahr*") in view of U.S. Patent No. 4,394,730 ("*Suzuki*"); and claims 17-20, 24, 39-42, 48-50 and 53-55 were rejected under 35 U.S.C. § 103(a) as being obvious over *Bahr* in view of Suzuki and U.S. Patent No. 5,452,452 ("Gaetner")

The present claims are directed to executing processor tasks on a multiple processor system. Independent claim 1 requires, in relevant part,

> determining a second processing unit from the plurality of the processing units <u>except for a first of the processing units</u>, wherein the second processing unit is executing a processor task <u>of lowest priority and having a lower priority than a first selected processor task being executed at the first processing unit</u>; and
>
> migrating the first selected processor task being executed at the first processing unit from the first processing unit to the second processing unit

(Independent claims 10, 21, 26, 27 and 43 include similar limitations). According to the claimed invention, a determination is made as to which of a plurality of processing units, except for a first of the plurality of the processing

units, is executing a processor task of lowest priority, and also having a lower priority than a first selected processor task being executed at the first processing unit. Further, the claimed invention requires migrating the first selected processor task from the first processing unit to the determined (second) processing unit. (See specification, for example, at paragraphs [0112] and [0113]).

The Examiner admitted that *Bahr* does not teach "migrating" processor tasks from one processing unit to another processing unit based on the priority levels of the tasks, as claimed. *Suzuki* does not cure the deficiencies of *Bahr* with respect to the claimed invention. Although *Suzuki* appears to disclose transferring (migrating) processor tasks from one processing unit to another, the Suzuki "processors are arranged in a predetermined priority sequence," such that the transfer (migration) of a processor task necessarily is to the same, initial processing unit in the sequence each time an interrupt is received at a first processing unit. (Abstract, lines 4-5; see also, for example, Col. 1, ln. 65-67). Nowhere do the applied portions of Suzuki appear to disclose or suggest migrating a first selected processor task from the first processing unit to another (second) processing unit which has been determined, from among the plurality of processing units with the exception of the first processing unit, to be executing a processor task having the lowest priority, and also having a lower priority than the first selected processor task, as required by the claimed invention.

Accordingly, *Bahr*, *Suzuki* and *Gaetner*, alone or in combination, fail to obviate the present invention, such that the rejected claims should now be allowed.

In view of the above, each of the presently pending claims in this application is believed to be in immediate

condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.
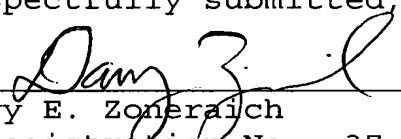
If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges ·in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: December 8, 2008   Respectfully submitted,

By _____
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